

# COMMITTEE AMENDMENT FORM

DATE: 08/01/07

COMMITTEE      ZONING      PAGE NUM. (S)

ORDINANCE I. D. #07-O-0858      SECTION (S)

RESOLUTION I. D. #07-R-      PARA.

AMENDS THE LEGISLATION BY ADDING FOUR (4) CONDITIONS.

AMENDMENT DONE BY COUNCIL STAFF 08/01/07

City Council  
Atlanta, Georgia

**07-O-0858**

AN AMENDED ORDINANCE  
BY ZONING COMMITTEE

**Z-07-47**  
Date Filed: 4-10-07

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1. That the Zoning Ordinance of the City of Atlanta be amended, and the maps established in connection therewith be changed so that the following property located at **1055 Arden Avenue, S.W.**, be changed from the I-1-C (Light Industrial-Conditional) District to the MRC-3-C (Mixed Residential-Commercial-Conditional) District, to wit:

ALL THAT TRACT or parcel of land lying and being Land Lot 120, 14<sup>th</sup> District, Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

**CONDITIONS FOR Z-07-47 for 1055 Arden Avenue, S.W.**

1. No more than a total of 3 buildings shall be allowed to be constructed on the subject property.
2. A Certificate of Occupancy must be obtained for the 2 smaller buildings to be constructed in Phases I & II before a Building Permit will be allowed to be issued for the remaining largest building, projected for construction in Phase III.
3. The largest of the 3 buildings, projected for construction in Phase III, shall not exceed 12 stories in height.
4. A transitional height plane shall be required and shall be measured from the northern property line of the subject property.

City Council  
Atlanta, Georgia

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ALL THAT TRACT or parcel of land lying and being Land Lot 120, 14<sup>th</sup> District. Fulton County, Georgia being more particularly described by the attached legal description and/or survey.

SECTION 2. If this amendment is approved under the provisions of Section 16-02.003 of the Zoning Ordinance of the City of Atlanta, entitled, "Conditional Development", as identified by the use of the suffix "C" after the district designation in Section 1 above, the Director, Bureau of Buildings, shall issue a building permit for the development of the above-described property only in compliance with the attached conditions. Any conditions hereby approved (including any conditional site plan) do not authorize the violation of any district regulations. District regulation variances can be approved only by application to the Board of Zoning Adjustment.

SECTION 3. That the maps referred to, now on file in the Office of the Municipal Clerk, be changed to conform with the terms of this ordinance.

SECTION 4. That all ordinances or parts of ordinances in conflict with the terms of this ordinance are hereby repealed.

### LEGAL DESCRIPTION:

All that tract or parcel of land lying and being in Land Lot 120 of the 14th District of Fulton County, Georgia and being more particularly described as follows:

BEGINNING at an iron pin at the intersection of the northerly right-of-way line of Arden Avenue (Apparent 50-foot right-of-way) and the westerly right-of-way line of Division Place (Apparent 40-foot right-of-way); thence along said northerly right-of-way line of Arden Avenue N89°09'06"W a distance of 300.00 feet to a one half inch rebar; thence leave said right-of-way line N01°29'26"E a distance of 215.84 feet to a one half inch rebar; thence S88°48'03"E a distance of 99.45 feet to an iron pin; thence N01°29'03"E a distance of 54.56 feet to a one inch bar; thence S89°06'03"E a distance of 100.12 feet to a one inch crimp top pipe; thence S88°10'49"E a distance of 99.89 feet to an iron pin on the westerly right-of-way line of Division Place; thence along said right-of-way line S01°22'27"W a distance of 268.00 feet to THE POINT OF BEGINNING.

This tract or parcel contains 1.730 acres (75366 square feet) of land.

RECEIVED  
APR 10 2007  
BUREAU OF  
PLANNING

Z-07-47

RCS# 1165  
5/07/07  
6:18 PM

Atlanta City Council

REGULAR SESSION

0858

MULTIPLE

07-O-0851 - 0868

REFER ZRB/ZONE

YEAS: 12  
NAYS: 0  
ABSTENTIONS: 0  
NOT VOTING: 4  
EXCUSED: 0  
ABSENT 0

Y Smith	Y Archibong	Y Moore	Y Mitchell
Y Hall	Y Fauver	Y Martin	Y Norwood
Y Young	Y Shook	Y Maddox	NV Willis
NV Winslow	NV Muller	Y Sheperd	NV Borders

MULTIPLE